

Union Calendar No. 648

114TH CONGRESS
2D SESSION

H. R. 5843

[Report No. 114-826]

To establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mr. LANGEVIN (for himself and Mr. RATCLIFFE) introduced the following bill; which was referred to the Committee on Homeland Security

NOVEMBER 15, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on July 14, 2016]

A BILL

To establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “United States-Israel Cy-*
5 *bersecurity Cooperation Enhancement Act of 2016”.*

6 **SEC. 2. UNITED STATES-ISRAEL CYBERSECURITY COOPERA-**

7 **TION.**

8 (a) *GRANT PROGRAM.—*

9 (1) *ESTABLISHMENT.—The Secretary, in accord-*
10 *ance with the agreement entitled the “Agreement be-*
11 *tween the Government of the United States of Amer-*
12 *ica and the Government of the State of Israel on Co-*
13 *operation in Science and Technology for Homeland*
14 *Security Matters”, dated May 29, 2008 (or successor*
15 *agreement), and the requirements specified in para-*
16 *graph (2), shall establish a grant program at the De-*
17 *partment to support—*

18 (A) *cybersecurity research and development;*

19 *and*

20 (B) *demonstration and commercialization*
21 *of cybersecurity technology.*

22 (2) *REQUIREMENTS.—*

23 (A) *APPLICABILITY.—Notwithstanding any*
24 *other provision of law, in carrying out a re-*
25 *search, development, demonstration, or commer-*

1 *cial application program or activity that is au-*
2 *thorized under this section, the Secretary shall*
3 *require cost sharing in accordance with this*
4 *paragraph.*

5 **(B) RESEARCH AND DEVELOPMENT.—**

6 (i) *IN GENERAL.—Except as provided*
7 *in clause (ii), the Secretary shall require*
8 *not less than 50 percent of the cost of a re-*
9 *search, development, demonstration, or com-*
10 *mercial application program or activity de-*
11 *scribed in subparagraph (A) to be provided*
12 *by a non-Federal source.*

13 (ii) *REDUCTION.—The Secretary may*
14 *reduce or eliminate, on a case-by-case basis,*
15 *the percentage requirement specified in*
16 *clause (i) if the Secretary determines that*
17 *such reduction or elimination is necessary*
18 *and appropriate.*

19 (C) *MERIT REVIEW.—In carrying out a re-*
20 *search, development, demonstration, or commer-*
21 *cial application program or activity that is au-*
22 *thorized under this section, awards shall be made*
23 *only after an impartial review of the scientific*
24 *and technical merit of the proposals for such*

1 *awards has been carried out by or for the De-*
2 *partment.*

3 *(D) REVIEW PROCESSES.—In carrying out*
4 *a review under subparagraph (C), the Secretary*
5 *may use merit review processes developed under*
6 *section 302(14) of the Homeland Security Act of*
7 *2002 (6 U.S.C. 182(14)).*

8 *(3) ELIGIBLE APPLICANTS.—An applicant shall*
9 *be eligible to receive a grant under this subsection if*
10 *the project of such applicant—*

11 *(A) addresses a requirement in the area of*
12 *cybersecurity research or cybersecurity tech-*
13 *nology, as determined by the Secretary; and*

14 *(B) is a joint venture between—*

15 *(i)(I) a for-profit business entity, aca-*
16 *demic institution, National Laboratory (as*
17 *defined in section 2 of the Energy Policy*
18 *Act of 2005 (42 U.S.C. 15801)), or non-*
19 *profit entity in the United States; and*

20 *(II) a for-profit business entity, aca-*
21 *demic institution, or nonprofit entity in*
22 *Israel; or*

23 *(ii)(I) the Federal Government; and*
24 *(II) the Government of Israel.*

1 (4) *APPLICATIONS.*—To be eligible to receive a
2 grant under this subsection, an applicant shall sub-
3 mit to the Secretary an application for such grant in
4 accordance with procedures established by the Sec-
5 retary, in consultation with the advisory board estab-
6 lished under paragraph (5).

7 (5) *ADVISORY BOARD.*—

8 (A) *ESTABLISHMENT.*—The Secretary shall
9 establish an advisory board to—

10 (i) monitor the method by which
11 grants are awarded under this subsection;
12 and

13 (ii) provide to the Secretary periodic
14 performance reviews of actions taken to
15 carry out this subsection.

16 (B) *COMPOSITION.*—The advisory board es-
17 tablished under subparagraph (A) shall be com-
18 posed of three members, to be appointed by the
19 Secretary, of whom—

20 (i) one shall be a representative of the
21 Federal Government;

22 (ii) one shall be selected from a list of
23 nominees provided by the United States-
24 Israel Binational Science Foundation; and

5 (6) *CONTRIBUTED FUNDS.*—Notwithstanding
6 any other provision of law, the Secretary may accept,
7 retain, and use funds contributed by any person, gov-
8 ernment entity, or organization for purposes of car-
9 rying out this subsection—

12 (7) REPORT.—Not later than 180 days after the
13 date of completion of a project for which a grant is
14 provided under this subsection, the grant recipient
15 shall submit to the Secretary a report that contains—

20 (8) *CLASSIFICATION.*—Grants shall be awarded
21 under this subsection only for projects that are con-
22 sidered to be unclassified by both the United States
23 and Israel.

24 (b) TERMINATION.—The grant program and the advi-
25 sory committee established under this section terminate on

1 *the date that is seven years after the date of the enactment*
2 *of this Act.*

3 (c) *PROHIBITION ON ADDITIONAL FUNDING.*—No ad-
4 *ditional funds are authorized to be appropriated to carry*
5 *out this Act.*

6 (d) *DEFINITIONS.*—In this section—

7 (1) *the term “cybersecurity research” means re-*
8 *search, including social science research, into ways to*
9 *identify, protect against, detect, respond to, and re-*
10 *cover from cybersecurity threats;*

11 (2) *the term “cybersecurity technology” means*
12 *technology intended to identify, protect against, de-*
13 *tect, respond to, and recover from cybersecurity*
14 *threats;*

15 (3) *the term “cybersecurity threat” has the*
16 *meaning given such term in section 102 of the Cyber-*
17 *security Information Sharing Act of 2015 (enacted as*
18 *title I of the Cybersecurity Act of 2015 (division N of*
19 *the Consolidated Appropriations Act, 2016 (Public*
20 *Law 114–113));*

21 (4) *the term “Department” means the Depart-*
22 *ment of Homeland Security; and*

23 (5) *the term “Secretary” means the Secretary of*
24 *Homeland Security.*

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